

**TOWN OF ERIE
BOARD OF TRUSTEES REGULAR MEETING 1
Tuesday, April 22, 2014
6:30 p.m.
Board Room, Erie Town Hall, 645 Holbrook, Erie, CO 80516**

I. CALL MEETING TO ORDER

Mayor Harris called the April 22, 2014 Regular Meeting of the Board of Trustees to order at 6:33 p.m.

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

Roll Call: Trustee Kramer –present
 Trustee Schutt – present
 Mayor Pro Tem Gruber – present
 Trustee Moore – present
 Trustee Charles - present
 Trustee Woog – present
 Mayor Harris – present

III. APPROVAL OF THE AGENDA

Action: Trustee Moore moved to approve the April 22, 2014 Agenda; the motion was seconded by Trustee Charles. The motion carried with all present voting in favor thereof.

IV. CONSENT AGENDA

- a. Approval of the April 8, 2014 Meeting Minutes
- b. Resolution 14-56; A Resolution of the Town of Erie Authorizing the Approval of the Prince Creek Development Agreement
- c. Resolution 14-57; A Resolution Approving an Urban Drainage and Flood Control District Amendment to the BP-20 Agreement Regarding Final Design, Right of Way Acquisition and Construction of Drainage and Flood Control Improvements
- d. Resolution 14-58; A Resolution Approving a Sponsorship Agreement with Old Mine Cidery & Brewpub for the Ballpark at Erie
- e. Resolution 14-59; A Resolution Authorizing the Award of a Design Contract for a Water Conservation Plan

CONSENT AGENDA (continued)

Action: Mayor Harris moved to approve the April 22, 2014 Consent Agenda; the motion was seconded by Mayor Pro Tem Gruber. The motion carried with the following roll call vote:

Roll Call: Trustee Moore – Yes
Mayor Pro Tem Gruber – Yes
Trustee Schutt - Yes
Trustee Kramer - Yes
Trustee Woog– Yes
Trustee Charles - Yes
Mayor Harris – Yes

V. PUBLIC COMMENT

Pam Ware, Front Range Hospice, notified the Board that she was moving her business to Frederick. Debbie Harris, Cathy Gingras and Laurie Grant, spoke on behalf of the upcoming American Cancer Society's Relay for Life.

Liz Fisher, 635 Moffat Street, Erie, Co. spoke in favor of repealing the censure of Trustees Gruber and Moore.

VI. PROCLAMATIONS AND PRESENTATIONS

a. Proclamation of Appreciation for the Keep Erie Safe Committee

In November of 2012, a bond initiative for a new Police Station and Municipal Court building was narrowly defeated at the ballot box; and in October of 2013, the Erie Police Department made an appeal to community members to form a support committee in order to help get the bond initiative for a new Police Station and Municipal Court building passed in 2014 and shortly after the request was made, the "Keep Erie Safe Committee" was formed with a number of caring, compassionate, energetic and tenacious community member. The Keep Erie Safe Committee worked tirelessly from October 2013 through Election Day April 1, 2014 to design a logo, create a Facebook account and website, design a brochure and associated FAQ sheet, and provided tours during Erie Police Department Open Houses to promote the immediate need for the building. Thanks largely to this group's unselfish efforts, the bond initiative (2A) passed overwhelming on April 1, 2014 with 2883 votes.

Action: Mayor Harris read a proclamation of appreciation to the Keep Erie Safe Committee.

VII. RESOLUTIONS

a. Resolution 14-60; A Resolution Authorizing Completion of a Storm Drainage Rate and Fee Study

Steve Felten, Director of Finance, presented staff recommendations for the approval of Resolution 14-60. In 2013 the Town began the process of performing a professional water and wastewater rate and fee study as required by the municipal code. That study is expected to be completed for presentation to the Board at a study session in July or early August. Subsequent to beginning the water and wastewater fee study, staff has determined that it would be prudent to conduct a similar study for the Town's storm drainage activities. A formal study of the Town's fee structure for its storm drainage activities has not been done in at least 10 years. The Town has two funds that relate to storm drainage activities – the Storm Drainage Impact Fund and the Storm Drainage Operating Fund. Both funds have significant capital projects that will be required over the next few years, but neither fund has an adequate revenue stream to fund these projects. In addition, the flooding experienced last year clearly demonstrated the necessity of having a well-maintained storm drainage infrastructure. A rate study will enable the Board and Town staff to determine the appropriate levels of storm drainage related fees for the next five years. To conduct this rate study, staff recommends engaging the same firm that is performing the water and wastewater study – Willdan Financial Services - at an estimated cost of \$30,700). An additional appropriation would be necessary to fund this study, to be paid for by the Storm Drainage Operating Fund. It is anticipated that the study would be concluded within the same timeframe as the water and wastewater rate study for presentation to the Board at the study session referred to above. This rate and fee study would help ensure that storm drainage fees are established at appropriate rates, with the objective of implementing any resulting changes effective January 1, 2015.

Action: Mayor Pro Tem Gruber moved to approve Resolution 14-60; the motion was seconded by Trustee Schutt. The motion carried with the following roll call vote:

Roll Call:

- Trustee Moore – Yes
- Mayor Pro Tem Gruber – Yes
- Trustee Schutt - Yes
- Trustee Kramer - Yes
- Trustee Woog– Yes
- Trustee Charles - Yes
- Mayor Harris – Yes

VIII. GENERAL BUSINESS

a. Consideration of Repeal of Censure

Action: Mayor Pro Tem Gruber and Trustee Moore recused themselves from this agenda item citing a personal interest in the outcome.

GENERAL BUSINESS (continued)

Action: Trustee Charles read the following prepared statement: The Town of Erie residents have made it clear that they expect the Board of Trustees to work together and promote the discussion of Town issues openly and cooperatively. This Board recognizes that differing viewpoints will exist on future issues and therefore wishes to immediately establish guiding principles that ensure that teamwork and cooperation are maintained. Specifically, the use of censure to reprimand board members will not be tolerated as an instrument to divide, retaliate or punish opposing viewpoints.

Action: Trustee Charles made the following motion "Therefore, in order to initiate the establishment of an environment that encourages teamwork and cooperation on the Erie Board of Trustees, I move to repeal the Dec 10th, 2013 censure of Trustees Gruber & Moore". The motion was seconded by Schutt; following Board discussion the motion carried with a five to zero votes. Mayor Pro Tem Gruber and Trustee Moore rejoined the meeting.

IX. BOARD OF TRUSTEES REPORTS & APPOINTMENTS

Trustee Woog asked the Town Administrator and Mayor about getting items on the Agenda. The Town Administrator read from the Town Rules of Order and Procedure. Trustee Woog also asked to see Monthly Reports from each department and what is the status of the redevelopment of Coal Creek Park. Town Staff will present information at a later date. Trustee Woog also encouraged people to participate in the Relay for Life.

Trustee Kramer thanked the citizens who expressed interest in the voluntary boards. Trustee Kramer also noted that she and the Mayor attended a ribbon cutting ceremony at Mt. View Fire Protection District.

Mayor Pro Tem Gruber noted an upcoming NATA meeting he would not be able to attend. Trustee Gruber attended the last DRCOG meeting.

Trustee Charles noted the Erie Optimist Club Easter Egg Hunt and thanked the Optimist for hosting the event.

Trustee Moore thanked Pam Ware for her contributions to the community over the years. Trustee Moore noted the upcoming Relay for Life, Arbor Day and the Town Fair.

Trustee Schutt would like to hear monthly reports from the voluntary boards and commissions.

Mayor Harris noted that they needed to amend an appointment to the Planning Commission to reflect it being a two year term in lieu of a four year term

Action: Mayor Harris moved to appoint Heather Kemp to the seat that expires on 2016; the motion was seconded by Mayor Pro Tem Gruber. The motion carried with all present voting in favor thereof.

X. EXECUTIVE SESSION

- a. **EXECUTIVE SESSION** for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); and, specifically to discuss negotiations regarding potential development within the Town, annexations related to development and potential intergovernmental agreements.

Action: Mayor Pro Tem Gruber moved to go into Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); and, specifically to discuss negotiations regarding potential development within the Town, annexations related to development and potential intergovernmental agreements. The motion was seconded by Trustee Charles; the motion carried with all present voting in favor thereof.

Mayor Harris announced its Tuesday, April 22, 2014, and the time is 7:15 p.m. For the record, I am the presiding officer, Mayor Tina Harris. As required by the Open Meetings Law, this executive session is being electronically recorded.

Also present at this executive session are the following persons:

Mayor Pro Tem Mark Gruber; Trustees Waylon Schutt, Jennifer Kramer, Janice Moore, Scott Charles and Dan Woog; Town Administrator A.J. Krieger; Community Development Department Director Marty Ostholthoff; and Town Attorney Mark Shapiro.

This is an executive session for the following purpose:

For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); and, specifically to discuss negotiations regarding potential development within the Town, annexations related to development and potential intergovernmental agreements.

Upon completion of the Executive Session, Mayor Harris announced that the time is now 8:15 a.m., and the executive session has been concluded. The participants in the executive session were:

Mayor Tina Harris; Mayor Pro Tem Mark Gruber; Trustees Waylon Schutt, Jennifer Kramer, Janice Moore, Scott Charles and Dan Woog; Town Administrator A.J. Krieger; Community Development Department Director Marty Ostholthoff; and Town Attorney Mark Shapiro.

For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.

XI. ADJOURNMENT


Action: Trustee Moore moved to adjourn the April 22, 2014 regular Meeting of the Town of Erie Board of Trustees; the motion was seconded by Trustee Schutt. The motion carried with all present voting in favor thereof.

Action: Mayor Harris adjourned the April 22, 2014 Regular Meeting of the Town of Erie Board of Trustees at 8:18 p.m.

Respectfully Submitted,



Nancy J. Parker, CMC, Town Clerk



Tina Harris, Mayor

